

REMARKS

This paper is responsive to the Non-Final Office action dated January 23, 2007. Claims 1-4 were examined, all of which were rejected. Claim 1 has been amended to better distinguish over the art and new claims 5-22 have been added to establish a more appropriate scope of protection.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,632,011 to Landfield (hereinafter "*Landfield*") and in view of S. Kent, "Privacy Enhancement for Internet Electronic Mail, Part II: Certificate-Based Key Management," Network Working Group Request for Comments 1442, February 1993 (hereinafter *RFC 1442*). The rejections are traversed-in-part and in-part overcome by amendments.

As Applicant understands the Office's rejection, it appears that the Office (i) relies on *Landfield* for disclosure of a firewall host system that manages electronic mail queues, (ii) acknowledges that does not disclose or suggest extracting and validating signature data from a message and taking action at the firewall host based on validation status and (iii) turns to *RFC 1442* for disclosure handling of digital signatures in a privacy enhanced message framework. Based on the combined teachings of *Landfield* and *RFC 1442*, the Office concludes obviousness alleging first that each of the elements of Applicant's claims is described in the combined disclosure and second that it would have been obvious at the time Applicant's invention was made to combine the teachings of *Landfield* and *RFC 1442*.

Applicant appreciates the Office's argument, but respectfully notes that, contrary to allegations, the combined teachings of *Landfield* and *RFC 1442* simply do not result in the subject matter claimed by Applicant. Indeed, a closer review of the reference reveals that *RFC 1442* dictates a validation by the message recipient, not by a relay or other intermediary.

Upon receipt of a privacy enhanced message, a recipient validates the originator's certificate (using the IPRA public component as the root of a certification path), checks to ensure that it has not been revoked, extracts the public component from the certificate, and uses that value to recover (decrypt) the MIC.

RFC 1442, page 4 (emphasis added).

Merely displaying the PEM-protected message content, containing an originator name from the native mail system, does not provide equivalent security functionality and could allow spoofing. If the recipient of a message is a forwarding agent such as a list exploder or mail relay, display of the originator's DN is not a relevant requirement. In all cases the essential requirement is that the ultimate recipient of a PEM message be able to ascertain the identity of the originator based on the PEM certification system, not on unauthenticated identification information, e.g., extracted from the native message system.

RFC 1442, page 27 (emphasis added).

Also note that these procedures apply to human interaction in message submission and delivery and are not directly applicable to forwarding processes.

RFC 1442, page 29 (emphasis added).

Clearly, based on the requirements of *RFC 1442* itself, any extraction and validation of a digital signature is to be performed by the ultimate recipient, not an intermediary. Therefore, consistent with the teachings of *Landfield* and *RFC 1442*, proper combination (consistent with the law of obviousness) would not provide extraction and validation of a digital signature at an intermediate e-mail relay as recited in claim 1 (as amended). ***Accordingly, amended claim 1 and those dependent therefrom are allowable.***

For slightly different though analogous reasons, *new* independent claims 9 and 22 and dependent claim 21, each of which recite validation-based decision-making at an e-mail relay (or upon execution of instructions on a properly situated computer) regarding

... whether the intercepted e-mail message should (i) be allowed to continue along the message communication path toward an intended recipient thereof or (ii) be diverted therefrom

are also allowable together with the claims that depend therefrom. Neither *Landfield*, nor *RFC 1442*, taken alone or in combination, disclose or suggest the claimed invention(s).

Similarly, relative to new independent claim 20, neither *Landfield* and *RFC 1442* disclose or suggest either (i) restrictions, implemented an e-mail firewall, on transmission of e-mail messages in accordance with a signature policy or (ii) the particular configuration and use of a suite of policy managers (access, content, virus and security) recited therein. Claims 20 and 21 are allowable for at least this reason and a notice to that effect is respectfully requested.

Priority Claim(s)

The Examiner has questioned the viability of Applicant's priority claim to U.S. Application 09/967,117. Applicant respectfully notes the addition of new claims, including claim 20, which is unambiguously supported by disclosure of both U.S. Application 09/967,117 and its predecessor, U.S. Application 09/180,377.

Furthermore, Applicant notes that the priority application discloses a process whereby signature verification is performed using a security manager (and associated policies) of an e-mail firewall for at least messages containing certain types of attachments. *See e.g.*, '117 Application, col. 6, lines 21-23. Applicant further notes description relating to FIGs. 5(a) and 5(b) appearing in the '117 Application at col. 6, lines 54-60 and at col. 8, line 36 – col. 9, line 30 concerning application and verification at email firewall endpoints of an "object level e-mail VPN" of digital signatures.

In view of the foregoing, priority is proper.

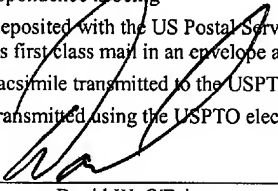
Conclusion

In summary, claims 1-22 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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David W. O'Brien

23 Jul-07

Date

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